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C O N F I D E N T I A L SECTION 01 OF 02 DUSHANBE 001101

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E.O. 12958: DECL: 7/25/2017

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SUBJECT: TAJIK JOURNALISTS TRY TO FIGHT LICENSING RESTRICTIONS

REF: DUSHANBE 1051

CLASSIFIED BY: Tracey Ann Jacobson, Ambassador, U.S. Embassy
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REASON: 1.4 (b), (d)

¶1. (SBU) SUMMARY: As the government steadily tightens its noose on the media, international organizations and local nongovernmental organizations held a conference July 19-20 to frankly discuss TV and radio licensing problems in Tajikistan. Conference participants, including, surprisingly, officials from the State Committee on Television and Radio and the official licensing body, drafted and signed an appeal to the government to reform its legislation and open the media environment. Although the open discussion in a positive step, it is unclear whether the appeal will sway senior Tajik officials bent on controlling the dissemination of information. END SUMMARY.

NEW RESTRICTIONS ON MEDIA

¶2. (SBU) In the past month, the Tajik government has implemented new rules that have the potential to constrict media freedom and pressure media organizations to continue self-censorship. A new regulation passed June 30 requires all printing and publishing houses to re-register with the Ministry of Culture within three months. The government is known to use registration as a bureaucratic tool to prevent an organization to obtain legal operating status. On July 19 parliament's upper house passed an amendment to the penal code which criminalizes internet slander and offensive language. This amendment leaves the door wide open for interpretation and room for the government to fine, imprison or intimidate journalists or even common people who vocalize their opinion online. This means that the internet is not a safe forum for free speech.

¶3. (SBU) One of the biggest hurdles to a free media environment is the Commission for Television and Radio Broadcast Licensing under the State Committee on Television and Radio. The Commission has long served as the puppet for government agencies and officials to grant licenses to stations in their favor and deny licenses to organizations viewed as a threat.

¶4. (C) In the past two months the commission granted a license to Independent Television of Tajikistan and a new Tajik-language radio station. Both are rumored to be financed by Hasan Sadulloev, the president's brother-in-law and head of Orion Bank (reftel). The Tajik language radio station operates in a

building where Sadulloev owns several apartment units and is called Oriono Media. PolOff met with Rustami Joni, Director of Oriono Media July 23 who said that the station derives its funding from advertisements and has no financial backer. He denied any affiliation with Sadulloev or Orion Bank. Similarly, the financial backing of the new Independent Television of Tajikistan remains shrouded in mystery.

AN OPEN DISCUSSION ABOUT LICENSING

15. (U) In order to address the Commission's nontransparent operating procedures and its refusal to grant most licenses, the Organization for Security and Cooperation in Europe along with Internews Network, the Soros Foundation and two local NGOs (National Association for Independent Mass Media in Tajikistan and Tajik Association of Independent Electronic Media) organized a two-day conference entitled, "The International Conference on the Topic of Actual problems of Licensing of TV and Radio Broadcasting in Tajikistan." Government officials, journalists, and representatives of nongovernmental organizations actively participated in the conference. During the conference journalists bombarded Muso Asozoda of the licensing commission and Barakkatullo Abdulfaizov, Head of the State Committee on TV and Radio, with questions about why it takes an organization four years to apply for license, why the commission does not properly respond in written form to applicants, and why grammar mistakes can invalidate an application.

16. (U) While Asozoda and Abdulfaizov acknowledged that the commission has some shortcomings, Abdulfaizov defended the commission by saying that "journalists are illiterate" and chastised organizations for not knowing how to complete applications. He claimed that the reason for denying so many applications stems from the need to protect the information space from irresponsible journalism and misinformation.

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17. (U) The Tajik Association of Independent Electronic Media released the findings of a survey of 26 media organizations. The survey revealed that 80 percent are not satisfied with the legislation governing the licensing of electronic mass media; 74 percent rate the process of obtaining a license as either complicated or very complicated; and 77 percent agree that reforming licensing legislation would facilitate the development of mass media.

AN APPEAL FOR CHANGE

18. (U) During the second day of the conference, participants drafted an appeal to the president's office which proposes several changes including calling for an independent and transparent licensing commission composed of government officials, professional journalists and nongovernmental organization representatives; amending current media-related legislation to meet international standards; and developing a competitive media market. Asozoda and, remarkably, Abdulfaizov both signed the appeal. Abdulfaizov even half-jokingly remarked that he would soon be fired for doing so.

19. (C) Although Internews Network Country Director Charles Rice was optimistic that the conference and resulting appeal would improve licensing transparency, Muso Asozoda of the licensing commission was doubtful the document would produce any changes. Asozoda, who is also the former Head of Administration for President Rahmon's People's Democratic Party of Tajikistan, said that the only person who can force the change is the president himself. Without naming names, Asozoda told PolOff that "someone" is advising the president to clamp down on media and has convinced the president that that is the best course of action to take in order to control information and radicalism. Asozoda agreed that President Rahmon is ill-advised. He went a step further by volunteering that the media restrictions are actually hindering Tajikistan's development.

INSIGHT INTO THE MYSTERIOUS LICENSING COMMISSION

¶10. (C) As a member of the licensing commission, Asozoda is one of its harshest critics. During the July 20 conference, Asozoda openly remarked that the licensing commission needs to be remodeled as a transparent and independent commission. In a meeting with PolOff July 23 he admitted that the commission is simply for show and serves as a rubber stamp. It does not meet regularly, but rather at the will of the chairman who is responsible for gathering all applications and calling meetings to determine organizations' licensing status. At any given time there are nine to eleven members on the commission who technically "vote" on whether or not to grant a license to a prospective station. In reality though, the commission's chairman gets the final determination. Asozoda was also critical of the chairman and alluded to the fact that even he only has an administrative role and receives orders from higher up. He also claimed that the chairman and other members of the commission have accepted bribes from media organizations.

¶11. (C) PolOff asked specifically about why Internews' community radio stations never received licenses. Asozoda said that the commission had no choice in determining the outcome, but declined to say exactly who was behind the decision.

¶12. (C) COMMENT: Asozoda's honest assessment of the appeal's potential success is likely accurate. One or two influential people whispering into the president's ear will be more persuasive than a unanimous appeal by the nation's leading journalists. The president's advisors are selling the idea that the government needs to control the media environment because they may genuinely believe in the need to protect the information space from religious extremists broadcasting violent messages and from nongovernmental organizations promoting political pluralism. An alternative explanation could also be that the advisors would like to carve out a large chunk of the broadcasting market for themselves and are discouraging competition. Regardless of the motive, the government's actions point to troubling signs of information control and a less free media -- trends not conducive to democratic development. END COMMENT.
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